

GOVERNMENT OF ANDHRA PRADESH  
ABSTRACT

Andhra Pradesh Medical & Health Services - Dr.K.Chandra Sekhar, formerly Medical Officer, Primary Health Centre, Yellanur, Ananthapur District and presently working as Assistant Professor of Orthopedics, Gandhi Medical College, Hyderabad - Unauthorized absence - Punishment of stoppage of (2) Increments with cumulative effect besides the period of absence w.e.f. 16.09.1994 to 20.12.1996 treated as "Dies-Non" by the Director of Public Health - Revision petition - Allowed penalty set aside and further action dropped - Orders - Issued.

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**HEALTH, MEDICAL AND FAMILY WELFARE (VC.II.1) DEPARTMENT**

**G.O.Rt.No. 1641**

**Dated: 06-12-2010**

**Read the following:-**

1. From the DH Rc.No.E2.E/3670/95, dt.29.11.1995
2. Explanation of Dr.K.Chandra Sekhar, formerly MO, PHC, Yellanur, Ananthapur Dist. dt.10.08.1996.
3. Govt. Memo.No.26305/A2/96-2, dt.28.09.1996.
4. From the DH Rc.No.E2E/13850/96, dt.27.07.1996
5. Explanation of Dr.K.Chandra Sekhar, formerly MO, PHC, Yellanur, Ananthapur Dist. and presently Asst. Professor of Orthopedics, Gandhi Medical College, Hyderabad dt.26.04.1997.
6. From the DH Rc.No.23534/VC.III.A/06, dt.28.03.2006
7. Explanation of Dr.K.Chandra Sekhar, formerly MO, PHC, Yellanur, Ananthapur Dist. and presently Asst. Professor of Orthopedics, Gandhi Medical College, Hyderabad dt.24.05.2006.
8. From DH Prog. Rc.No.23534/VC.III.A/05, dt.7.10.2006.
9. Appeal petition of Dr.K.Chandra Sekhar, dt.9.01.2007.
10. G.O.Rt.No.318, HM&FW (VC.II.1) Dept., dt.13.03.2007.
11. Appeal petition of Dr.K.Chandra Sekhar for revision of punishment dt.27.03.2010.

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**ORDER:**

In the reference 1<sup>st</sup> read above, the Director of Health had initiated departmental action and issued charge Memo to Dr.K.Chandra Sekhar, Medical Officer, Primary Health Centre, Yellanur, Ananthapur District for his unauthorized absence from duty w.e.f. 16.09.1994 without prior sanction. In the reference 2<sup>nd</sup> read above, the charged officer had submitted his explanation stating that due to ill health and family problems and also due to the death of his only brother he could not return to Yellanur Primary Health Centre and requested for posting as Assistant Professor of Orthopedics in any Medical College.

2. The Government after examination of the above request of the Officer directed the Director of Health to surrender the service of above individual to the Director of Medical Education, pending disciplinary action, to enable the Director of Medical Education to give posting in teaching side, vide reference 3<sup>rd</sup> read above. Accordingly the Director of Health issued proceeding vide Rc.No.13112/E.II.C/98, dt.20.12.1996.

3. In the reference 4<sup>th</sup> read above, the Director of Health again issued same articles of charge to the above individual without examining his earlier explanation (in the reference 2<sup>nd</sup> read above). However the Charged Officer had submitted his explanation, vide reference 5<sup>th</sup> read above, wherein he had given reasons for his unauthorized absence. The Director of Health again issued the same articles of charge to Dr.K.Chandra Sekhar vide reference 6<sup>th</sup> read above (i.e. after lapse of 9 years). The Medical Officer submitted his explanation vide reference 7<sup>th</sup> read above repeating the same reason mentioned in his 1<sup>st</sup> and 2<sup>nd</sup> explanations.

(P.T.O.)

4. In the reference 8<sup>th</sup> read above, the Director of Health has imposed the penalty of stoppage of two (2) Annual Grade Increments with cumulative effect besides treating the period of unauthorized absence from 16.09.1994 to 20.12.1996 as 'Dies-Non' on Dr.K.Chandra Sekhar, formerly Medical Officer, Primary Health Centre, Yellanur, Ananthapur District and presently working as Assistant Professor of Orthopedics, Gandhi Medical College, Hyderabad.

5. In the reference 9<sup>th</sup> read above, the above individual has submitted an appeal petition to the Government against the punishment imposed by the Director of Health. Government after careful examination, rejected the appeal, vide reference 10<sup>th</sup> read above.

6. In the reference 11<sup>th</sup> read above, the individual has submitted revision petition for the reasons that if any disciplinary action were to be taken by the Office of the Director of Health on his explanation to the charge memo in the year 1995 the said punishment should have been completed on or before in 2000 itself. But after a lapse of ten (10) years, the Director of Health issued charge memo for the third time on 28.03.2006 and imposed punishment of stoppage of (2) Annual Grade Increments with cumulative effect besides treating the period between 16.09.1994 and 26.12.1996 as 'Dies-Non', without following the Classification, Control & Appeal Rules, 1991. Dr.K.Chandra Sekhar had lost his promotion, while his juniors got promoted. Therefore, he submitted an appeal petition that he was being furnished for the failures of the Director of Health.

7. Government after careful examination of the record of Director of Public Health and appeal petition of above individual (in the reference 11<sup>th</sup> read above) observed that effect of the said penalty would have ceased by the year 2001 itself had it been imposed in the year 1997. The delay of more than ten years in imposing the said penalty has seriously affected the career of Dr.K.Chandra Sekhar. The Directorate of Health had been lackadaisical in its handling of an important matter, which has seriously undermined the career prospect of an Orthopedic Surgeon. Therefore, Government have decided to allow the revision petition of Dr.K.Chandra Sekhar and set aside the penalty imposed by the Director of Health in the reference 8<sup>th</sup> read above and declare Dr.K.Chandra Sekhar free from any encumbrance.

8. The Director of Medical Education is directed to consider the case of Dr.K.Chandra Sekhar for promotion without the encumbrance of any disciplinary case.

**(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)**

**Dr. P.V. RAMESH**  
**PRINCIPAL SECRETARY TO GOVERNMENT**

To  
Dr.K.Chandra Sekhar, Assistant Professor of Orthopedics,  
Gandhi Medical College, Hyderabad.

**Copy to:**

The Director of Public Health, A.P. Hyderabad.  
The Director of Medical Education, A.P. Hyderabad.  
The District Treasury Officer, Ananthapur District.  
The PS to M (H&FW).  
The PS to Principal Secretary to Government.  
SF/SC

**//FORWARDED:: BY ORDER//**

**SECTION OFFICER**